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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/993,026	11/14/2001	Jean-Claude Neaux	9320.138US01	6476	
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MERCHANT & GOULD PC			EXAMINER		
P.O. BOX 290 MINNEAPOI	•		BREVARD, M	BREVARD, MAERENA W	
			ART UNIT	PAPER NUMBER	
			3727		
			DATE MAILED: 11/04/2002		

Please find below and/or attached an Office communication concerning this application or proceeding.

Application No.			A7				
Examiner Marerena W. Brevard 3727		Application No.	Applicant(s)				
Marena W. Brevard 3727 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. If the period for reply specified above is less than lithiny (30) cays, a reply within the statisticy reminimum of thinky (30) days will be considered limity. If the period for reply specified above is less than lithiny (30) cays, a reply within the statisticy reminimum of thinky (30) days will be considered limity). If the period for reply specified above is less than lithiny (30) cays, a reply within the statisticy reminimum of thinky (30) days will be considered limity). If the period for reply specified above is less than lithiny (30) cays, a reply within the statisticy reminimum of thinky (30) days will be considered limity). If the period for reply specified above is less than lithiny (30) cays, a reply within the statisticy reminimum of thinky (30) days will be considered limity). Any reply received by the Office later than there months after the mailing date of this communication, even if timely filed, may reduce any seamon patient them adjustments. Status Status Status Status Status Status Status Status Status Claim (5) 1-21 is/are pending in the application for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-21 is/are pending in the application. 4a) Of the above claim(s) is fare allowed. Claim(s) is/are rejected. 7) Claim(s) is/are rejected to. 8) Claim(s) 1-21 are subject to testriction and/or election requirement. Application Papers 9) The proposed drawing correction filed on is/are: a) accepted or b) objected to by the Examiner. Application Papers 9) The drawing(s) filed on is/are: a) accepted or bi objected to by the Examiner. If approved, corrected drawings are r	Office Action Summan						
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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

- I. Figures 1a-3, 5a, and 5b
- II. Figure 4

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, claims 1-7, 9, 11, 13, and 15-21 are generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the

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examiner finds one of the inventions unpatentable over the prior art, the evidence or admission

may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

2. A telephone call was made to Mr. John Albrecht on October 31, 2002 to request an oral

election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Maerena W. Brevard whose telephone number is 703/305-0037.

The examiner can normally be reached on M-Th; 8:00 AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Lee W. Young can be reached on 703/308-2572. The fax phone numbers for the

organization where this application or proceeding is assigned are 703/872-9302 for regular

communications and 703/872-9303 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703/305-0037.

Maerena W. Brevard

Examiner

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October 31, 2002